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NOTICE OF ALLOWANCE AND FEE(S) DUE

27114

7590

03/16/2005

QUARLES & BRADY LLP 411 E. WISCONSIN AVENUE, SUITE 2040 MILWAUKEE, WI 53202-4497

EXAMINER				
FORD, V	VANESSA L			
ART UNIT	PAPER NUMBER			

1645

DATE MAILED: 03/16/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,290	08/30/2000	Marcin S. Filutowicz	P00154US/13238/00016	2591

TITLE OF INVENTION: ANTI-MICROBIAL BIOTHERAPEUTIC AGENTS: ALTERNATIVES TO CONVENTIONAL PHARMACEUTICAL ANTIBIOTICS

APPLN. TYPE			PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$0	\$700	06/16/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above
- B. If the status above is to be removed, check box 5b on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.
- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (703) 746-4000

INSTRUCTIONS: This for appropriate. All further co-indicated unless corrected maintenance fee notification	rrespondence including the I below or directed otherwise	smitting the ISSU Patent, advance ore in Block I, by (a)	E FEE and PUBL ders and notificatio) specifying a new	ICATION FEE (if requestion of maintenance fees correspondence address	uired). Blocks 1 through 5 s will be mailed to the current s; and/or (b) indicating a sepa	hould be completed where correspondence address as trate "FEE ADDRESS" for
	CE ADDRESS (Note: Use Block 1 for	any change of address)		Fee(s) Transmittal, T	f mailing can only be used for his certificate cannot be used a lal paper, such as an assignment te of mailing or transmission.	for any other accompanying
	590 03/16/2005			have its own certifica	te of mailing or transmission.	
QUARLES & B				Ce	ertificate of Mailing or Trans	mission
411 E. WISCONS MILWAUKEE, W	IN AVENUE, SUITE 2 ⁷ I 53202-4497	040		States Postal Service addressed to the Ma transmitted to the US	this Fee(s) Transmittal is bein with sufficient postage for fir il Stop ISSUE FEE address PTO (703) 746-4000, on the co	st class mail in an envelope above, or being facsimile late indicated below.
						(Depositor's name)
						(Signature)
						(Date)
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EXAM	MINER	ART UN	IT .	CLASS-SUBCLASS		
FORD, V	ANESSA L	1645		424-093200		
CFR 1.363). Change of correspon Address form PTO/SB/1 "Fee Address" indica PTO/SB/47; Rev 03-02 Number is required. 3. ASSIGNEE NAME ANI PLEASE NOTE: Unles	n 37 CFR 3.11. Completion	Correspondence ution form e of a Customer E PRINTED ON Telow, no assignee of this form is NOT	(1) the names of or agents OR, alt (2) the name of registered attorn 2 registered pate listed, no name v. THE PATENT (prindata will appear on a substitute for fill	a single firm (having as ey or agent) and the nan at attorneys or agents. I will be printed. t or type) the patent. If an assig	a member a 2 mes of up to f no name is 3 mee is identified below, the definition of the desired control of the desired contr	locument has been filed for
	e assignee category or catego				Corporation or other private gr	oup entity Government
4a. The following fee(s) are	enclosed:	46	4b. Payment of Fee(s): A check in the amount of the fee(s) is enclosed.			
☐ Publication Fee (No small entity discount permitted)			Payment by credit card. Form PTO-2038 is attached.			
Advance Order - # of Copies			The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).			
a. Applicant claims S	s (from status indicated above SMALL ENTITY status. See	37 CFR 1.27.	<u></u>		ALL ENTITY status. See 37 C	107
The Director of the USPTO NOTE: The Issue Fee and I interest as shown by the rec	is requested to apply the Issu Publication Fee (if required) words of the United States Pate	ie Fee and Publicat will not be accepted ent and Trademark	tion Fee (if any) or the from anyone other Office.	o re-apply any previous than the applicant; a re	sly paid issue fee to the applica gistered attorney or agent; or the	ation identified above. he assignee or other party in
Authorized Signature				Date		
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This collection of informati an application. Confidentia submitting the completed a this form and/or suggestion	on is required by 37 CFR 1.3 lity is governed by 35 U.S.C. pplication form to the USPT is for reducing this burden, sh	11. The informatio 122 and 37 CFR O. Time will vary hould be sent to the	n is required to obta 1.14. This collection depending upon the Chief Information	in or retain a benefit by h is estimated to take 12 e individual case. Any o Officer, U.S. Patent and	the public which is to file (an minutes to complete, includin comments on the amount of ti d Trademark Office, U.S. Dep	d by the USPTO to process) ng gathering, preparing, and me you require to complete artment of Commerce, P.O.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.